



Town of Walpole
Commonwealth of Massachusetts

LAND DISTURBANCE PERMIT
Stormwater Management and Erosion Control Bylaw

Issued Date: 3/17 /2022

Public Hearing Closed: 3-09-2022

Permit#: 2022-5

Applicant: Walsh Brothers Building Co.

Address: 11 Saddle Way, Walpole, MA 02081

Location: Lincoln Estates, Off Lincoln Road, Walpole, MA
Lot 1-24

Signatures

**Jack V. Wiley* (digital)

Signature

Jack V. Wiley

Printed Name

**Al Goetz* (digital)

Signature

Al Goetz

Printed Name

**Betsey Dyer* (digital)

Signature

Betsey Dyer

Printed Name

**Emidio DiVirgilio* (digital)

Signature

Emidio DiVirgilio

Printed Name

Signature

Doug Burchesky

Printed Name

Signature

Printed Name

**

Signature

Landis Hershey, Conservation
Agent

****Landis Hershey, Conservation Agent**
Certificate of Vote: Book 37967, pg 2 duly authorized to sign

*Pursuant to the vote taken by the Walpole Conservation Commission on May 6, 2020, the following signatures are made in accordance with M.G.L. c.110G and pursuant to said Commission's electronic signature authorization vote recorded on May 18, 2020 with the Norfolk Registry of Deeds / Norfolk Registry District of the Land Court in BOOK 37884 and PAGE 386 or as Document # 45327.

Permit#: 2022 - 5

Applicant: Walsh Brothers Building Co., Inc.
Address: 11 Saddle Way, Walpole, MA 02081

Owner: John Hasenjager, Estate of Walter Lacivita
PO Box 661 107 Polley Lane
Norwood, MA 02062 E. Walpole, MA 02032

Location: Off Lincoln Road, Walpole, MA 02081
Map 38, Parcels 23 & 24

Representative: GLM Engineering Consultants, Inc.
19 Exchange Street, Holliston, MA 01746

Plan: Definitive Subdivision Plan "Lincoln Estates"
Dated: 02-28-2021, Revised 2-08-2022 Sheets 1-23 and SUP-A

Other Document: Stormwater Management Report
Gravel Removal Operation Plan
Project Phasing & Construction Schedule

Activity: Proposed twenty-four (24) single family residences, lot grading, driveways, and associated utilities ONLY. Road construction approved under separate Land Disturbance Permit.

APPROVED WITH THE FOLLOWING CONDITIONS:

CONDITIONS

1. This Permit shall apply to any successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans. These obligations shall be expressed in covenants in all deeds to succeeding owners of portions of the property.
2. The request to extend the Permit shall be received within 30 days of the expiration date of the Permit.
3. No work shall take place until this Permit is recorded at the Registry of Deeds or Land Court. The recording information shall be submitted to the Commission in writing with the Book and Page numbers.
4. The term "Applicant" as used in this Permit shall refer to the owner, any successor in interest or successor in control of the property referenced in the Land Disturbance

Permit application. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to issuance of the Certificate of Compliance.

5. The Conservation Commission designates the Conservation Agent with full powers to act on its behalf in administering and enforcing this Permit.
6. A Conservation Commissioner, Agent of the Commission reserves the right to enter and inspect the property at all reasonable times, until a Certificate of Compliance is issued, to evaluate compliance with this Permit, and Town Bylaw, and may require any information, measurements, photographs, observations, and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation. Further, work shall be halted on the site if the Commissioner, or Agent that any of the work is not in compliance with this Permit. Work shall not resume until the Commission is satisfied that the work will comply, and has so notified the Applicant in writing.
7. Failure to comply with this Permit may result in revocation of this Permit and may require a re-filing by the Applicant.
8. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract requirements. The Applicant shall assure that all contractors, subcontractor and other personnel performing the permitted work are fully aware of the permit's terms and conditions. Thereafter, the contractor will be held jointly liable for any violation of this Permit resulting from failure to comply with its conditions.
9. It is the responsibility of the Applicant, Owner, and/or successor(s) to ensure that all Conditions of this Permit are complied with. The project engineer and contractors are to be provided with a copy of this Permit and referenced documents before commencement of construction.
10. To assure an immediate response to the Commission/Agent, the Applicant shall provide the Walpole Conservation Commission/Agent with the names and phone number of the on-site contractors and managing contractor if it changes from pre-construction meeting.
11. Any substantial changes made in the above-described plan(s), unless specified otherwise in this Permit, which may or will alter an area subject to Town of Walpole Stormwater and Erosion Control By-Law, or any change(s) in activity subject to regulations shall require the Applicant to inquire from this Commission in writing, prior to their implementation in the field, whether the change(s) is significant enough to require the filing of a new application. Any errors in the plans or information submitted by the Applicant shall be considered changes and the above procedures shall be followed.
12. If unforeseen problems occur during construction which may affect the statutory interests of the Bylaw, upon discovery by either the Conservation Commission, its

Agent, or the Applicant, such problem shall require immediate notification to the Commission and an immediate meeting shall be held between the Commission or its Agent, the Applicant, and other concerned parties to determine the correct measures to be employed. The Applicant shall then act to correct the problems using the corrective measures agreed upon. Subsequent to resolution, the activity and resulting actions shall be documented in writing.

13. The owners of the project and their successors in title, in the event they proceed to alter areas subject to the Commission's jurisdiction under the Permit, agree that the Town shall have no responsibility to maintain the proposed detention basin and that the Town shall not be liable for any damage in the event of failure. By acceptance of this Permit, the owners indemnify and hold harmless the Town and its residents for any damages attributable to alterations undertaken on this property pursuant to the Permit. Issuance of the Permit does not imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of water damage.
14. Upon completion of this project, the Applicant shall submit the following to the Conservation Commission to receive a **Certificate of Compliance**.
 - a. A letter from the Applicant requesting a Certificate of Compliance.
 - b. A written statement from a registered professional engineer of the Commonwealth certifying that the work has been conducted as shown on the plan(s) and documents referenced above, and as conditioned by the Commission.
 - c. An "as-built" plan of the entire site that includes grades prepared and signed and stamped by a registered professional engineer or land surveyor of the Commonwealth, for the public record.
16. The Commission reserves the right to amend this Permit after a legally advertised public hearing if plans or circumstances are changed or if new conditions or information so warrant.
17. It is the responsibility of the Applicant to procure all other applicable federal, state and local permits and approvals associated with this project.
18. Any future work that alters 40,000 s.f. or more may require a new Land Disturbance Permit.

EROSION CONTROL

19. Prior to the commencement of construction of the site, erosion and sedimentation control measures as shown on the plan shall be implemented and maintained in effect throughout the entire construction phase, and until the site has been stabilized. The erosion control specifications provided in the Land Disturbance Permit and Erosion Control Plan will be

the minimum standards for this project; additional measures may be required by the Commission.

20. All erosion control measures shall be maintained until the engineer and a member or Agent of the Conservation Commission agree that they are no longer needed, at which time they will be removed, using mutually satisfactory removal procedures.
21. Erosion controls shall be placed in the field prior to cutting whenever possible. Any variation from this condition shall be approved by the Conservation Agent.
22. Location of erosion controls shall be staked by survey prior to installing. Erosion Controls are installed to keep sediments on site and to prevent erosion.
23. Siltation controls shall be installed upgradient of all resource areas along the limit of activity as shown on the plan, between all disturbed areas and the wetlands. The filter fabric shall be installed as recommended by the manufacturer except as otherwise directed by the Conservation Commission or its Agent. The bottom six (6) inches of the material shall be buried by excavating a six (6) inch deep trench along the toe of the fabric line and placing the bottom six (6) inches of filter fabric into the trench. The trench shall then be backfilled with the spoil material and compacted. In no instance shall the bottom of the filter fabric be laid on the ground surface and simply covered with backfill or stone. The haybales shall be double staked.
24. The Applicant shall designate an **Erosion Control Monitor** to oversee any emergency placement of controls and regular inspection or replacement of erosion and sedimentation control devices. The name and phone number of the Monitor must be provided to the Commission in the event that this person has to be contacted, due to an emergency at the site, during any 24-hour period, including weekends. This person shall be given authority to stop construction for erosion control purposes.
25. An adequate **stockpile** of erosion control materials shall be on site at all times for emergency or routine replacement and may include materials required to repair or replace silt fences, and 20 hay bales, Siltsacks™, erosion control blankets, stone riprap, filter berms or any other devices planned for use during construction.
26. The Commission reserves the right to impose additional conditions on portions of this project to mitigate any impacts which could result from site erosion, or any noticeable degradation of surface water quality discharging from the site. For example, installation of erosion control measures may be required in areas not shown on the plan(s) referenced in this Permit. Should such installation be required by the Commission, they shall be installed within 48 hours of the Commission's request.
27. The areas of construction shall remain in a stable condition at the close of each construction day. Erosion controls should be inspected at this time, and repaired, reinforced or replaced as necessary.

POST CONSTRUCTION

28. All construction debris shall be removed from the site and disposed of in accordance with all applicable laws and regulations. All erosion controls shall be removed upon approval by the Conservation Agent.
29. The Stormwater Operation and Maintenance Plan is part of this Land Disturbance Permit. The annual Operation and Maintenance Reports shall be delivered to the Conservation Commission.
30. Erosion control inspection reports shall be copied to the Conservation Commission.

CONSTRUCTION MANAGEMENT

31. The **Applicant shall hold a pre-construction meeting least 48 hours** prior to commencement of activity on the site and shall invite and advise the Conservation Agent of the name(s) and telephone number(s) of the person(s) responsible on site for compliance with this Permit.
35. All waste products, grubbed stumps, slash, construction materials, etc. shall be removed from the site in accordance with all local, state and federal law and regulation. All equipment, i.e., cement trucks, plasters, masons, painters, without limitation shall be accomplished outside the buffer and riparian zone and properly disposed of off site. Disposal shall be done weekly or as needed.
36. Only clean fill shall be used on the site i.e., clean soil, free of masonry, stumps, asphalt, or waste material.
37. Oil, fuel, grease cartridges or other pollutants shall be stored in an appropriate way to assure no leakage or spillage.
38. A fuel or hydraulic oil spill kit shall be maintained at all times on site, per Walpole Fire Department specifications. In the event of a spill, the Applicant shall take immediate measures to contain such spill and shall notify the Walpole Fire Department.
39. A copy of the approved subdivision plan shall be provided to by the Conservation Commission at least one week prior to preconstruction meeting and prior to the beginning of the project.
40. Lot construction only: The development of land for the construction of single family houses and associated utilities and driveways. Development of the roadway and post construction stormwater management system is permitted under a separate land disturbance permit.
41. In situ soil tests for each permanent infiltration basin at the approximate final grade shall be conducted with the Engineering department and submitted for review by the Conservation Commission.
42. Street sweeping shall occur at least once a week or sooner as necessary to pick up sediments on the street.
43. A water truck shall be available on site during excavation to dampen areas as needed to keep dust from the air.

44. Invasive species should be properly removed and disposed from the site.
45. If work is proposed within the jurisdiction of the Wetlands Protections Act and/or the Walpole Wetlands Bylaw on lots 3, 4, 5, 13, 14, 16 and/or 24 separate filings will be required.
46. Prior to beginning land disturbing activities, including tree cutting, the Applicant shall provide the Conservation Commission with a Tripartite Agreement securing \$144,000 to ensure that the work is completed in accordance with the permit. The Tripartite Agreement shall be reviewed by Town Counsel and approval by the Conservation Commission before considered executed.
47. If the project is phased, the Conservation Commission may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Conservation Commission has received the final report as required by Section 14 and issued a certificate of completion pursuant to Section 15 of the Bylaw Regulations.

48. To be signed by the Managing Contractor:

I _____, representing _____

have read and have a copy of the above conditions.

Contractor's Signature

Phone Number